



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

March 1, 2002

James R. Collier, Chief
Bureau of Environmental Quality
Environmental Health Administration
D.C. Department of Health, Room 5007
51 N Street, N.E.
Washington, D.C. 20002

Dear Mr. Collier:

The Environmental Protection Agency (EPA) Region III is establishing total suspended solids Total Maximum Daily Loads (TSS TMDLs) for the Upper and Lower Anacostia River. These TMDLs draw heavily from the TMDL work done by you and the District. Unfortunately, because we do not yet have all of the information necessary for us to make a decision regarding the District's modifications of its water quality standard for clarity (adopted by emergency rulemaking on January 25, 2002), EPA cannot complete its review of your TSS TMDLs submitted to us on January 4, 2002.

EPA's TSS TMDLs are established today to meet the Consent Decree schedule for TMDL establishment set forth in *Kingman Park Civic Association et al. v. EPA*, Civil Action No. 98-758 (D.D.C.). These TMDLs address an impairment of water quality as identified in the District's 1998 Section 303(d) list. As you know, the District identified a TSS impairment of the water quality-limited segments within the Anacostia River watershed as affecting the aquatic life uses including the submerged aquatic vegetation habitat.

We would like to commend you and the Environmental Health Administration for taking on the challenge of developing new standards for water clarity. Despite the fact that some issues remain to be resolved, your initiative is fully in keeping with our collective efforts under the Chesapeake Bay 2000 Agreement and will not only serve the District's waters but also provide valuable insights for the Chesapeake Bay criteria.

We also look forward to continuing to work in partnership with the District on the many TMDLs to which we have made a joint commitment. The process thus far has given each of us important lessons to carry forward towards achieving our mutual goal of clean water for the District of Columbia and its citizens.



Following establishment of these TSS TMDLs, and any subsequent TMDL, the District shall incorporate the TMDLs into its Water Quality Management Plan pursuant to 40 CFR § 130.7(d)(2). Please feel free to contact Thomas Henry at 215-814-5752 or Mary Beck at 215-814-3429 if you have any questions or comments.

Sincerely,

Rebecca W. Hanmer, Director
Water Protection Division

Enclosure